

REMARKS

No new issues are presented by this Amendment After Final. The only claim amendment is the cancellation of claims 1 and 16-26. The pending claims are limited to claims 35-38, and a Terminal Disclaimer is submitted herewith with respect to the sole rejection (Double Patenting) of these claims. Accordingly, Applicant respectfully submits that the present application is in condition for allowance.

I. Double Patenting Rejection

In the FINAL Office Action dated January 25, 2010, claims 1, 16-26 and 35-38 are newly rejected on the ground of non-statutory obviousness-type double patenting as being unpatentable over claims 1-10 of U.S. Patent No. 7,507,304 B2 issued to Okabe et al.

A Terminal Disclaimer is submitted herewith with respect to U.S. Patent No. 7,507,304 B2. Accordingly, Applicant respectfully requests removal of this rejection. No new issues are presented.

II. Claim Rejections – 35 USC §103(a)

A. In the FINAL Office Action dated January 25, 2010, claims 1 and 16-18 and 20-25 are rejected under §103(a) as being obvious over U.S. Patent No. 5,580,669 issued to Beers et al.

Claims 1, 16-18 and 20-25 have been canceled. Accordingly, Applicant respectfully submits that this rejection is now moot and can be withdrawn.

B. In the FINAL Office Action dated January 25, 2010, claim 26 is rejected under §103(a) as being obvious over U.S. Patent No. 5,580,669 issued to Beers et al. in view of U.S. Patent No. 6,113,761 issued to Kardokus et al.

Claim 26 has been canceled. Accordingly, Applicant respectfully submits that this rejection is now moot and can be withdrawn.

III. Claim Rejections – 35 USC §112, second paragraph

In the FINAL Office Action dated January 25, 2010, claims 1 and 16-26 are rejected under §112, second paragraph, as being indefinite.

Claims 1 and 16-26 have been canceled. Accordingly, Applicant respectfully submits that this rejection is now moot and can be withdrawn.

IV. Allowable Subject Matter

Applicant respectfully submits that claims 35-38 are patentable over the prior art of record for the same reasons stated by the Examiner in the Office Action dated July 8, 2009.

V. Conclusion

In view of the above claim cancellations and Terminal Disclaimer, Applicant respectfully submits that the rejections have been overcome and that the present application is in condition for allowance. No new issues have been raised. Thus, a favorable action on the merits is therefore requested.

Please charge any deficiency or credit any overpayment for entering this Amendment

After Final to our deposit account no. 08-3040.

Respectfully submitted,
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